

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALPENSPRUCE EDUCATION SOLUTIONS
INC., a Washington corporation,

Plaintiff,

v.

CASCADE PARENT LIMITED, a Jersey
limited company; and PARALLELS INC., a
Delaware corporation,

Defendant.

No. 2:23-cv-00692-MJP

**STIPULATED MOTION TO EXTEND
THE DISCOVERY DEADLINE FOR A
LIMITED PURPOSE AND
~~PROPOSED~~ ORDER**

NOTE ON MOTION CALENDAR:
NOVEMBER 6, 2024

**STIPULATED MOTION TO EXTEND THE DISCOVERY DEADLINE FOR A
LIMITED PURPOSE**

The Parties submit the following Stipulated Motion to Extend the Discovery Deadline to complete necessary corporate and witness depositions. No other deadlines are affected by this motion.

Pursuant to ECF No. 33, the Court ordered fact discovery to be completed by November 8, 2024. *Id.* On November 5, 2024, the Court denied the Parties' Joint Motion to Extend Case Schedule and re-affirmed the November 8 close of discovery deadline. ECF No. 48.

At the time that the Joint Motion to Extend Case Schedule was filed, Plaintiff's counsel,

*STIPULATED MOTION TO EXTEND THE DISCOVERY
DEADLINE FOR A LIMITED PURPOSE AND ~~PROPOSED~~
ORDER
(2:23-CV-00692-MJP) - 1*

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K&L Gates, had a trial scheduled the week of November 4, 2024 in a separate case (“the *Revelry* Case”). ECF No. 46 at 5. While the parties disagreed on the length of the extension that was warranted in view of the *Revelry* Case’s trial setting, they were working cooperatively to schedule fourteen depositions in the time span of three weeks in the event that the Court denied the parties’ joint motion. Indeed, the parties collectively took nine depositions between October 18 – November 1, 2024, including conducting three depositions simultaneously on October 25 and another three on October 28. When it became known that the trial in the *Revelry* Case was continued, the parties scheduled an additional deposition for November 5, 2024.

Despite these efforts, the parties have encountered significant scheduling difficulties for five expert and corporate witnesses depositions due to those individuals’ prior professional commitments and demanding professional and travel schedules. The parties have worked cooperatively to schedule key depositions—including the 30(b)(6) depositions of Plaintiff’s Chief Executive Officer and Chief Financial Officer, the 30(b)(6) deposition of Defendants’ Chief Revenue Officer, and the depositions of two of Defendants’ survey experts—for the two weeks following the November 8 close of discovery, as reflected below:

| Witness | Party | Scheduled Date |
|----------------------------|--------------|-----------------------|
| Joel Steckel (expert) | Defendant | November 13, 2024 |
| Christopher Mayer | Plaintiff | November 14, 2024 |
| Michelle Chiantera | Defendant | November 15, 2024 |
| Damon Torgerson | Plaintiff | November 12, 2024 |
| Dr. Ran Kivetz (expert) | Defendant | November 21, 2024 |

The parties recognize that the Court has set November 8, 2024 as the discovery deadline. However, given the seniority of the fact witnesses and their demanding professional and travel

1 schedules, the experts' prior commitments to other depositions and case work, and the uncertainty
2 of the trial setting for the *Revelry* Case, it has been difficult for the parties to schedule these
3 remaining depositions prior to the November 8 discovery deadline. Indeed, the parties met and
4 conferred on Wednesday, November 6, 2024 to discuss whether it would be possible to complete
5 the above-identified depositions prior to November 8 and, due to witness availability, determined
6 it would not be possible.

7 Given the cooperative nature of the parties' efforts to schedule these depositions, as well
8 as the importance of the witnesses to the parties' respective cases, the parties respectfully request
9 that the Court extend the discovery deadline to November 21 to facilitate completing the above-
10 identified depositions within the discovery period. The extension of discovery until November 21
11 will not impact any other dates on the schedule, including the December 10, 2024 dispositive
12 motion deadline. ECF No. 33.

1 DATED this 6th day of November, 2024.

2 K&L Gates LLP

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17 *Education Solutions Inc.*

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Limited and Parallels Inc.

~~PROPOSED~~ ORDER

The Court GRANTS the parties' stipulated motion. The Discovery Deadline is extended until November 21, 2024 to facilitate completing the corporate witness depositions of Damon Torgerson, Christopher Mayer, and Michelle Chiantera and the expert depositions of Dr. Joel Steckel and Dr. Ran Kivetz. All other deadlines contained in the May 8, 2024 Amended Case Schedule Order, ECF No. 33, remain the same.

Dated this 7th day of November, 2024.



MARSHA J. PECHMAN
United States Senior District Judge

Presented by:

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